G. R. S. IX-5]

Previous references.

196-18-49

191 δ.

(Mysore)

File No. 196-18

Serial Nos. 56

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for Mysore 49.

SUBJECT.

Acceptance of trust in connection with the management and disposal of certain properties of one Veeraswamiah of Mysore for carrying out certain religious and charitable objects.

Noted by Dy 16-5-19
Dir. Mysore
Mys: Emplt and
Compls to Government.

Directs that the properties left by one Veeraswamiah of Mysore for doing useful religious and charitable purposes be left to the management of non-official trustees appointed by the trust deed

W D 1250—GPB—30,000 - 28-1 19

Ajithappanna
Mys: Stock

G. R. S. III—1] 1918-19

GENERAL AND REVENUE SECRETARIAT.

(Mug)

NOTES.

File No. 196-18

FILE HEADING.

Acceptance of a trust in connection with the management and disposal of certain properties of one Veeramma of Mysore for carrying out certain religious and charitable objects —

From

The Dy: Comr, Mysore Dt.

No. 416-18 Dated 28-2-19 Received 1-3-19

Diary No. 1473 | Enclos. - | Spare Copies. | Serial No. 5

BRIEF ABSTRACT OF LETTER.

States, with reference to this office Letter No. 1880/Mug 196-18-3 of 21-1-19, that Veeramma is since dead and has no legal representatives and that the whole estate is now in the hands of Govt and that he is, therefore, of the opinion that the estate may be accepted as a trust —

NOTES AND ORDERS.

Subd for orders with reference to the proposals contained in the Dy: Comr's letter Sl. No. 1 of the recorded file 196-18 put up for perusal - If approved, the Dy: Comr may be asked to send revised proposals consequent upon the death of Veeramma -

8/3 RG

NOTES—First Sheet. 8.3.19 8/3/19

Serial No.

1 I think that the administration of the Estate of the deceased, including the trust in favour of the Nusrai Deptt, has to be worked up in the Revenue Deptt. Has the file be transferred to Secy.)

10/3/19.

3. Yes

11.3.19

4 With compliments.

Rev. Secy.)

12/3/19

12.3.19

5. Perhaps in this case, the Dy Commr has to publish a notice in the Gazette to see if any claimants come forward. If nobody claims the property within a period to be specified. (Say within 3 months), then the property will be at the absolute disposal of the Govt. If any claimant comes forward, he may be referred to a Civil Court to establish his right.

take charge of the property and

NOTE—Contn. sheet.

Serial No.

to succeed to the estate.

6 Either the Protection Branch of the Chief Secretariat, or the Govt Advocate may be Consulted.

S
19.3.19

Mugrai Secretary) 20.3.9

Lee

Secy.)

21/3/19

8. Case ~~sent to Govt's advocate~~. Now that the donor is no longer alive, the chief objection lapses. But the objection as regards the multifariousness and petition ~~of~~ in the objects still remains. This is in the administrative side. A number of gentlemen have been appointed as trustees. Why should not they enter upon their duties, the properties being made over to them.

Lee
24.3.19

1 forwarded with compliments to the Government Advocate for favour of opinion

Mugrai Secretary

Mugrai 24.3.19

Mugz. 24.3.No12 dated 25.3.1919

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Serial No.

File No. 186 of 1918.

No. 1988/1918
22/3/1919

In this case the donor happens to be a Hindu widow and her powers in respect of the immoveable properties in which she has only a life interest are limited. The Deputy Commissioner's letter shows that the endowment in question relates to immoveable properties also.

Anyhow as no one has yet come forward to claim the property as a reversioner, there does not appear to be any objection to the properties in question being managed by a Board of Trustees.

The Government has no doubt a right, more particularly as the local Deputy Commissioner has been appointed the Chief Controlling Trustee, to supervise the working of the Trust. But it appears to be unnecessary for the Muzarai Dept. to take over the entire management of the endowment into its hands. The property endowed is valued at Rs 40000/- only and this again has to be parcelled out into a number of very small bits between various

NOTE—Contn. sheet.

S. S.-III-2]

General and Revenue Secretariat.

File No. of 191 .

Serial No.

various institutions.

In British India, such Endowments of a religious and charitable Character are governed by the ~~Charitable~~ Religious Endowments Act XX of 1863 under which such endowments are transferred to Trustees or Committees appointed by the Local Governments, the latter, of course, having powers of supervision Etc.

In this as also in other similar cases I think it would be better to transfer the properties to the Trustees than to retain them, the Muzarai department only exercising a general supervision. Should the Government find that the trustees appointed under the deed of trust do not discharge their functions properly, then Government might interfere & see how best to give effect to the wishes of the donor.

U Shankunni
Govt Advocate
29/3/1909.

NOTE—Contn sheet

Seen)

Seen

29/3/19

General and Revenue Secretariat.

Mary File No. 196 of 1918.

Serial No.

Draft. an order in accordance with the views of Govt. advocated

Ld
16/4/19.

Draft order subd

SD 19.4.19 BK 19.4.19

Seen)

KS. 22/4/19

Put up clean draft.
Ld
23.4.19

clean
Typed draft subd

SD 24.4.19 BK 25/4/19

KS. 25/4/19

Seen.)

Subd with a draft for approval or other orders

Ld
26.4.19

(Mr. Marsh)

Appd - BK 12-5-19

C 11
30.4.19

1374
6

KS 13/5/19

NOTE—Contn. sheet

1475

R. S. 111-2]

General and Revenue Secretariat.

File No. 156 of 1918.

Serial No.	
6	[illegible]

W.D. 0244—GPB—6,00,000—19-5-

GEN. & REV. SECRETARIAT.
VII
MUZRAI
1473
8 19
Muz
476-18
5

1918-19

From

The Deputy Commissioner,

Mysore District.

50182

To

The Joint Secretary to the
Government of H.H.the
Maharaja of Mysore,
Muz Dept.Bangalore.

Dated 22nd February 1919.

Despatched 25th February 1919.

Received

General No.

No.

Enclosure No

Submits a report on the receiving of the trial offered by one Veeranna.

.....

No.

OFFICE OF THE DEPUTY COMMISSIONER,

Mysore District.

Dated, Mysore, 22nd February 1919

From

T. Chokkanna, Esq., B.A.,

Deputy Commissioner,

Mysore District.

To

G. Aravamudu Iyengar, Esq., B.A.,B.L.,

Joint-Secretary to the Government of

His Highness the Maharaja of Mysore.

Muzrai Department, BANGALORE.

Sir,

Adverting to your letter No. 1880/Muz. 1ab-18-8 dated 21st January 1919 returning the trust deed executed by Veeramma [illegible] and stating that the trust could not be accepted as per section 6 of the Muzrai Regulation, I have the honor to intimate that Veeramma died since dead and has no legal representatives and that the whole estate is now in the hands of Government, &c. I am therefore of opinion that the trust may be accepted as a trust.

I have the honor to be,

Sir,

Your most obedient servant,

V. G. Aravamudu Rao

for Deputy Commissioner,

Mysore District.

VI/.

10

G.R.S. VI-71]

SUBJECT.... Directs that the properties left by one Veeramma of Mysore for being used for religious and charitable purposes, be left to the management of ~~a Board of~~ the municipal trustees ~~appointed~~ by the Mut-dees

Diary No. of letter replied to.....1473.....

Section

File No. 196

Serial No. 6

General and nue Secretariat

Mug)

, *the* 191 .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.....

Signed by.....

Read.— Correspondence ending with letter No. 416 of 18-19 & 25th February 1919 from the Deputy Comr., Mysore Dist., in the matter of the administration of a trust created by one Veeramma of Mysore for the purpose of ~~subject of Govt. acceptance~~ ~~in respect of movable and immoveable properties valued~~ at Rs 4000 belonging to her, with a view to utilize the income thereof for religious and charitable purposes ~~in the~~

Order Thereon:— No.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette Kannada part?

over.

manner indicated in the Trust Deed.

Order thereon :-

The Dy: Comr has intimated that Veeramma is since dead, that she has left no legal representatives and that consequently the whole estate is now in the hands of Govt. and is, therefore, desirous that the same may be accepted as a trust deed

2. The Govt. Advocate, who was consulted in the matter, is of opinion that the Donee, being a Hindu widow, her powers in respect of immoveable property in which she has only a life interest, are limited, no person having come forward to claim the properties as the trust - may be accepted. a succession, the properties the management requested may be managed by a Board with the Board nominated in of Trustees, and that she is the Trust deed

Vide Sanction Lady of Myraid
Vide Sanction Lady of Myraid
Vide Sanction Lady of Myraid

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

the properties being of insignificant value, they may be allowed to be managed by a trust by the persons mentioned in the Trust-deed other than the Dt. Court, that the Muzrai Dept. need not directly concern itself with the management and that if at any time the trust should be mismanaged the Govt. may interfere ~~and take the management~~ and set matters right.

is unnecessary for the Muzrai Deptt. to take over the entire management into its hands. The property endowed being valued at Rs 4000/- only and this again having to be parcelled out into a number of very small bits among various institutions, he is of opinion that it would be better to leave the management of the properties to the Trustees, the Muzrai Deptt. only exercising a general supervision and that if the Govt. find that the trustees do not discharge their duties properly, then they might interfere and see how best to give effect to the wishes of the Donor.

3. Govt. agree with the Govt. Advocate ~~in his views~~ accordingly, and direct by Court should have the that the properties left by

Veeramma ~~to be left to the~~ as contemplated in the deed
managed ~~by~~ by the Board of trustees ~~to be appointed~~
~~with~~ the Dy: Comr being the ~~by the Govt.~~
~~Col~~ chief Controlling trustee

(The names of the trustees ~~to be appointed~~ as well as a

4 A report of the action taken in the matter ~~may~~ should be submitted for the information of Govt as early as possible

~~made~~ of the first of trustees mentioned in the deed under proper guarantee for the ~~distribution~~ performance of the charitable dispositions of the donor.

4. A report of the action taken in the matter should be submitted to Govt

Secretary
Muz: Deptt

Sd
19.4.19

To 19/4/19.

The Dy: Comr, Nilgiris Distt.
" Muz: Dept Ok in Nilgiris
" Comptr to Govt.

Sd
19.4.19

Sd

G P B—20,000—16-2-14

(4

Subject D 1473

Directs that the properties left by one Veeramma of Mysore for being used for religious and charitable purposes, be left to the management of the non-official Trustees appt^d by the Trust-deed.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-- 196-8-6.

Correspondence ending with letter No.416 of 18-19. dated 25th February --- 1919, from the Deputy Commissioner, ---- Mysore District, in the matter of the -- administration of a trust created by one Veeramma of Mysore for certain religious and charitable purposes.

Order No. 3565-67
Dated Bangalore, the 16th April 1919. Mus 196-18-6

One Veeramma a Veerasaiva lady of Mysore executed a trust deed in July --- last year conveying all her moveable and immoveable properties to the Deputy Commissioner as chief controlling trustee and certain other trustees with instructions to manage and meet out of the income certain religious and charitable -- charges specified therein. As the --- donor reserved to herself certain benefits out of the trust and as the value of the properties was small and the disposition of the income somewhat complicated, the Deputy Commissioner was advised that the acceptance of the responsibility was not expedient. The Deputy Commissioner now reports that the lady has since died and that as she has no legal heirs or representatives the whole estate is in the hands of the Government officers, and he requests orders of Government on the accept-

15

acceptance of the trust.

2. The Government Advocate who was consulted in the matter, is of opinion that the properties being of insignificant value, they may be allowed to be managed as a trust by the persons mentioned in the Trust Deed other than the Deputy Commissioner, that the Judicial Department need not directly concern itself with the management and that if at any time the trust should become embarrassed the Government may intervene and set matters right.

3. The Government Agent has submitted the Government Advocate's opinion that the Deputy Commissioner should hand over the property left by Veerama to the body of trustees mentioned in the Deed under which the property was left for the performance of the charitable and religious trusts of the testator.

4. A report of the action taken in the matter is called for [illegible] over

Secretary to Council

[illegible]

Judicial Department.

The Deputy Commissioner, Jaffna District.

The Judicial Department accepts [illegible]

The Deputy Commissioner to [illegible].

[illegible]